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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,653	05/17/2001	Jari Lansio	324-010356-US(PAR)	3901
2512	7590	10/28/2005	EXAMINER VU, VIET DUY	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			ART UNIT 2154	PAPER NUMBER

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/859,653

Applicant(s)

LANSIO ET AL.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-22 is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. The office action responds to amendment filed 7/27/2005 and a request for RCE filed 9/26/2005.

Art Rejections:

2. The text of 35 USC 103(a) not cited here can be found in the previous office action.

3. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky, U.S. pat. No. 6,418,146, in view of Apte et al, U.S. pat. No. 6,269,373.

Per claims 1-3 and 5-7, Miloslavsky discloses a system and method for enabling a wireless device to obtain service from a network server via a wireless connection comprising:

a) means for enabling the wireless device making call or request to a network server to establish a connection (see Miloslavsky in col 8, lines 4-16);

b) an adapter (23, fig. 2) which is connected to wireless device adapts the protocol used in the wireless connection (WAP) to the rest of the (IP) network, wherein the adapter also comprises software for authenticating the users and for connecting the server (19, fig. 2) to process the requested service from the wireless device (see Miloslavsky in col 8, lines 43-67 and col 9, line 62 - col 10, line 19).

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Miloslavsky does not teach enabling making method calls via object request broker (ORB). The use of ORB technology, e.g., CORBA compliant objects, in network communications is well known in the art as disclosed by Apte. Particularly, Apte discloses providing:

i) means (1234, fig. 12) in the wireless device to make a method call containing a service request to a data server (see Apte in col 11, lines 54-65);

ii) one or more service brokers (1238, 1218, fig. 12) for directing the service request contained in the method call or call from the wireless device (1230, fig. 12) to a given server and returning the information sent by the server to the wireless device (see Apte in col 8, lines 10-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Apte's ORB in Miloslavsky because it would have provided interoperability between various software applications on the clients and servers (see Apte in col 1, lines 51-57).

Per claim 4, it is noted that WAP packets are smaller than IP packets.

Per claim 8, Apte teaches using conventional protocols including IIOP or GIOP to transmit objects in the networks (see Apte in col 7, lines 7-17).

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Allowable Subject Matter:

4. Claims 9-22 are allowed over prior art of record.

Response to Arguments:

5. Applicant's arguments, filed 7/27/05, with respect to claims 1-8 are moot in view of new ground of rejection set forth above.

Conclusion:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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10/24/05

VIET D. VU
PRIMARY EXAMINER